

Division of Solid and Hazardous Waste  
P.O. Box 414  
Trenton, New Jersey 08625-0414  
Tel. # (609) 984-6650  
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RECYCLING CENTER  
GENERAL APPROVAL CONDITIONS  
FOR RECEIPT, STORAGE, PROCESSING OR TRANSFER  
OF CLASS B RECYCLABLE MATERIALS

Under the provision of N.J.S.A. 13:1E-1 et seq. and N.J.S.A. 13:1E-99.11 et seq., known as the Solid Waste Management Act and the New Jersey Statewide Mandatory Source Separation and Recycling Act, respectively, and pursuant to N.J.A.C. 7:26A-1 et seq., known as the Recycling Regulations, this Approval is hereby issued to:

**RUBBERCYCLE LLC/C.B.M., INC.**

MUNICIPALITY:	<u>Lakewood</u>
BLOCK NO.(S)	<u>1609</u>
LOT NO.(S):	<u>2802</u>
COUNTY:	<u>Ocean</u>
CAPACITY:	<u>80 TPD</u>
RECYCLING CENTER NUMBER:	<u>1514001415</u>
APPROVAL EXPIRATION DATE:	<u></u>

This Approval is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection or as may be amended in the future. All references to specific regulations include any future amendments thereto.

This Approval shall not prejudice any claim the State may have to riparian land, nor does it allow RUBBERCYCLE LLC/C.B.M., INC., or its principals to fill or alter, in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) Zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits, or approvals from the Department of Environmental Protection.

Compliance with the terms of this Approval does not relieve RUBBERCYCLE LLC/C.B.M., INC. or its principals of the obligation to comply with all applicable local, state and federal statutes, rules and other permits.

Failure to comply with all the conditions specified herein may result in revocation of this Approval and/or may result in other regulatory or legal actions which the Department is authorized to institute by law.

This Approval shall be effective for not more than five years.

An Approval renewal shall be obtained from the Department prior to any activities which are to occur after the expiration of this Approval. In applying for a renewal, applicants shall follow the renewal submission requirements and procedures set forth in N.J.A.C. 7:26A-3.6.

This Approval is non-transferable, except as set for in N.J.A.C. 7:26A-3.15.

12/02/1997  
Date

Signed by John A. Castner, P.E., P.P., Acting  
Acting Assistant Director

12/02/2002  
Expiration Date

John A. Castner, P.E., P.P.  
Acting Assistant Director  
Office of Permitting and

**Recycling Center General Approval  
for  
RUBBERCYCLE LLC/C.B.M., INC.**

**A. AUTHORIZED RECYCLABLE MATERIALS**

1. Permitted Class B Recyclable Materials

The following source separated Class B recyclable materials which have been separated at the point of generation from other waste materials or separated at a permitted solid waste facility authorized to separate recyclable materials may be received, stored, processed or transferred at this facility:

Car and truck tires with or without rims

At no time shall the receipt, storage, processing or transferring of non-source separated construction and demolition material be allowed at this facility. The prohibition of this material shall be strictly enforced and any incident shall be considered a serious violation to the conditions of this Approval.

2. By-Products

Incidental amounts of rebar, metal, soil and other by-products which adhere to the Class B recyclable materials as specified in Condition A.1 and are returned to the economic mainstream as raw material or products, may be received, stored, processed or transferred at this facility.

Its receipt shall not be separately accounted for but its storage and end-markets shall be subject to specific conditions of this Approval.

3. Contaminants

The maximum amount of contaminants allowed in each incoming load of Class B recyclable materials for acceptance shall be limited to 1% by volume.

Incidental by-product materials included within the Class B recyclable materials shall not be considered to be contaminants.

## B.DESIGN AND CONSTRUCTION

The construction of this facility shall be in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the New Jersey Uniform Construction Code, the approved documents listed below and this Approval.

### 1. Approved Documents

Site Plan: prepared by Frank A. Greek & Son, Inc., signed and sealed by Nicholas Kolupanowich, P.E., New Jersey license number 28439, dated September 11, 1997.

RUBBERCYCLE LLC/C.B.M.,INC., Application for Recycling Center General Approval, prepared by Morris Hassan, dated October 8, 1997.

Tire Recycling Equipment Placement Plan: prepared by Nicholas Kolupanowich, P.E., New Jersey license number 28439, received by the Department October 8, 1997.

RUBBERCYCLE LLC/C.B.M.,INC., Addendum to the October 8, 1997 submittal, prepared by Morris Hassan, dated October 14, 1997.

RUBBERCYCLE LLC/C.B.M.,INC., Emergency Response Plan - Prepared for Rubbercycle/Lakewood Fire Department by Daniel P. Mulligan, Chief Fire Marshal, Ocean County, dated September 21, 1997.

## C.RECYCLING CENTER OPERATIONAL STANDARDS

The operation of this facility shall be in accordance with the provisions of N.J.A.C. 7:26-1 et seq., the standards set forth herein and the approved documents specified in Condition B.1. Where any discrepancy exists, the terms of this Approval shall prevail.

### 1. Hours of Operation

Hours of operation for receiving, storing, processing or transferring source separated recyclable material as specified in Condition A.1 of this Approval shall be twenty four (24) hours per day, Sunday through Friday.

### 2. Residue

Residue generated as a result of processing source separated recyclable materials shall not exceed 1% by volume of the

daily amount accepted.

Residue defined as solid waste, shall be transported by a NJDEP registered collector/hauler to facilities in compliance with the Ocean County District Solid Waste Management Plan.

Residue shall be stored separately from recyclable materials and in containers and in a manner which prevents run-off, leakage or seepage from the residue storage area into, on or around the soil of the residue storage area.

No residue shall be stored on site for a period exceeding six (6) months without prior approval of the NJDEP.

3. Maximum Daily Capacity

The RUBBERCYCLE LLC/C.B.M.,INC. recycling center may receive no more than 80 tons per day of recyclable materials as specified in Condition A.1 of this Approval.

4. Maximum Weekly Capacity

The RUBBERCYCLE LLC/C.B.M.,INC. recycling center may receive no more than 480 tons per week of recyclable materials as specified in Condition A.1 of this Approval.

5. Unprocessed Materials Storage

The total amount of unprocessed Class B recyclable materials stored on site shall not exceed 3,733 cubic yards. Unprocessed materials stored on site shall be stored only in those areas designated for that purpose as indicated on the approved site plan drawing.

If at any time, the amount of unprocessed material stored on site exceeds 3,733 cubic yards, RUBBERCYCLE LLC/C.B.M.,INC shall immediately cease receiving any unprocessed material until the amount of unprocessed material stored on site falls below cubic yards.

6. Processed Materials Storage

The total amount of processed Class B recyclable materials stored on site shall not exceed 5,045 cubic yards of chips and no more than 1,250 pallets of rubber powder with each pallet not to exceed 2,000 pounds. Processed material shall be stored only in those areas as designated for that purpose as indicated on the approved site plan drawings.

If at any time, the amount of processed material stored on site exceeds 5,045 cubic yards of chips or 1,250 pallets of 2,000 pounds each, containing rubber powder, RUBBERCYCLE LLC/C.B.M.,INC. shall immediately cease processing activities until the amount of processed material falls below 5,045 cubic yards of chips or 1,250 pallets of rubber powder with each pallet not to exceed 2,000 pounds.

All processed material shall be stored separately from residues.

7. By-Products Storage

By-products shall be stored in the container(s) or area(s) as depicted on the approved site plan and shall be removed off-site to the end markets as referenced in the approved documents.

8. Horizontal and Vertical Controls

Horizontal and vertical control points for the unprocessed and processed materials stockpile areas shall be set and maintained on site. Horizontal limitation markers shall be set at the corners of the stockpile areas as depicted on the approved site plan. Vertical limitation markers shall be set at locations in close proximity of the stockpile areas and shall clearly establish elevation heights of fifteen (15) feet above the existing grade.

Metal pipe or metal rods or the equivalent as approved by the Department shall be used to establish these control points. Within approximately thirty (30) days of the acceptance date of this Approval, a joint site inspection shall be held at the facility between the owner/operator and representatives of the Department for the purpose of establishing the locations of these markers.

9. Commingling

RUBBERCYCLE LLC/C.B.M.,INC. may receive, store, process or transfer source separated car and truck tires separately or in a commingled manner.

10. Applicable Regulations

The operation and related activities of this recycling center shall be in conformance with all applicable federal, State, county, municipal and local statutes, rules and ordinances including but not limited to nuisance, noise, fire and safety codes.

11. Air Pollution Control Permits

Pursuant to N.J.A.C. 7:27-8, an Air Pollution Permit to Construct, Install or Alter Control Apparatus or Equipment and Certificate to Operate Control Apparatus or Equipment shall be obtained for all processing equipment, from the Department's Bureau of New Source Review.

RUBBERCYCLE LLC/C.B.M.,INC. shall furnish copies of all correspondence sent and received concerning these matters to this office.

12. Safety Procedures

The operation of the recycling center shall be in conformance with the Occupational Safety and Health Act (OSHA) regulations as contained in the General Industry Standards 29 CFR 1910. Construction activities shall be in conformance with the OSHA regulations as contained in the Construction Industry Standards 29 CFR 1926. A copy of the safety procedures shall be posted on site.

13. Housekeeping

Routine housekeeping and maintenance procedures shall be implemented within the recycling center interior to prevent the accumulation of litter, dust and debris, and to maintain general cleanliness in the working environment.

14. Odor Control

The operation of this recycling center shall not result in odors associated with residue being detected off-site in any area of human use or occupancy.

15. Vector Control

The recycling center shall institute and maintain an effective vector control program at the center, directed by a qualified applicator of pesticides as set forth in the New Jersey Pesticide Control Code N.J.A.C. 7:30.

16. Dust Control

Dust shall be controlled by the spraying of water, the spreading of calcium chloride or equivalent means as approved by this Division.

17. Noise Control

Noise controls shall be implemented so that noise levels generated at the recycling operation shall not exceed the

standards set forth by New Jersey Noise Control Regulations under N.J.A.C. 7:29-1.2.

18. Fire Protection and Emergency Response

Fire fighting and emergency procedures shall be posted, and shall include the telephone number of local fire, police, ambulance and hospital facilities.

19. Soil Tracking Control

Mud, soils or other materials shall not be tracked onto any public roads by any exiting vehicles. Effective measures shall be designed and implemented to comply with this condition.

20. Entrance Sign

A legible sign shall be posted and maintained at the entrance to the recycling center and indicate the hours of operation of the recycling center as well as the following information:

- a. A listing of the approved recyclable materials as specified in Condition A.1 of this approval.
- b. The size, weight or other restrictions regarding materials to be received.
- c. A notice that persons bringing materials to the recycling center shall be inspected, and if found to contain contaminants greater than 1% by volume, will be reflected.
- d. A notice that persons bringing materials to the recycling center shall complete and certify a materials receipt form.

21. Soil Tracking Control

Mud, soils or other materials shall not be tracked onto any public roads by any exiting vehicles. Effective measures shall be designed and implemented to comply with this condition.

22. Site Access

Ingress and egress of the facility shall be restricted to Rutgers Boulevard only.

23. Hazardous Waste

Any suspected or prohibited hazardous waste, as defined at



N.J.A.C. 7:26-8, found in a load accepted at the facility shall not be returned to the generator. Such materials shall be segregated and stored in a secure manner and shall be immediately reported to the N.J.D.E.P. Environmental Action Hotline at (609) 292-7172. The owner/operator shall secure the name of the collector/hauler suspected of delivering such waste to the facility and related information surrounding the incident, if available, and shall make this information known to the Department's enforcement personnel.

24. Documents On-Site

A copy of the approved documents as referenced in Condition B.1 and a copy of this Approval shall be maintained at the facility and shall be made available for inspection by Department personnel or its designated representatives.

25. End-Markets

All end-markets to which recyclable materials are transported from the recycling center shall remain consistent with those end-markets specified in the approved documents. Any modification in the actual end-market for a recyclable material specified in Condition A.1 shall be in conformance with N.J.A.C. 7:26A-3.10(f).

26. Right of Entry

The New Jersey Department of Environmental Protection shall have the right to enter and inspect, without prior notice, any building or other portion of the recycling center, or any other location of the company or its affiliated companies at any time.

This right to inspect includes, but not limited to, the right to engage in the following activities:

- a. Sample any materials on site;
- b. Photographing or videotaping any portion of the recycling center;
- c. Investigating an actual or suspected source of pollution of the environment;
- d. Ascertaining compliance or non-compliance with the statutes, rules or regulations of the NJDEP, including conditions of the recycling center approval issued by the NJDEP; or
- e. Reviewing and copying all applicable records, which

shall be made available to the NJDEP during an inspection and submitted to the NJDEP upon request.

#### D. RECORD KEEPING AND REPORTING

##### 1. Recordkeeping

In accordance with N.J.A.C. 7:26A3.17, RUBBERCYCLE LLC/C.B.M.,INC. shall maintain daily records of all materials received, stored, processed or transferred at the site. Said records shall be available at all times for inspection and shall indicated, at a minimum, the following:

- a. A daily record of the amounts of each recyclable material by type and municipality of origin which are received, stored, processed or transferred each day, expressed in tons or in cubic yards.
- b. The name, address, and telephone number of the end-markets for all recyclable materials transported from the recycling center, including the amount, in tons or cubic yards, transported to each end-market. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons. NJDEP reserves the right to verify all end-market information submitted by RUBBERCYCLE LLC/C.B.M.,INC.
- c. The amount of residue disposed of, expressed in tons or cubic yards, including the name and the New Jersey Department of Environmental Protection solid waste registration number of the solid waste collector/hauler contracted to provide the haulage/disposal service. Those persons specifying the amount or residue in cubic yards shall also indicate the conversion ratio of residue from cubic yards to tons.

RUBBERCYCLE LLC/C.B.M.,INC. shall retain the information for three (3) calendar years following the calendar year for which reporting is required.

##### 2. Reporting

###### a. Annual Report

In accordance with N.J.A.C. 7:26A-3.17, RUBBERCYCLE LLC/C.B.M.,INC. shall submit an annual report containing monthly summary statements of the information required pursuant to Condition D.1 above to the New Jersey Department of Environmental

Protection on or before February 1 of each year, for the previous calendar year. The summaries shall include monthly totals of the amount of recyclable material received from each customer by the municipality of origin. Furthermore, the summaries shall include monthly totals of the amount of recyclable product transferred to each end-market. The summaries shall also include the amount of residue disposed of during each month. An annual fee will be paid to the Department on May 1, in accordance with N.J.A.C. 7:26-2.1(b)1;

b. Residue Disposal

RUBBERCYCLE LLC/C.B.M.,INC. certify in writing to the Department that all residue generated at the recycling center has been disposed of in accordance with the solid waste management rules at N.J.A.C. 7:26. The certification shall be submitted annually as part of the annual report;

c. Tonnage Report

RUBBERCYCLE LLC/C.B.M.,INC. shall provide a recycling tonnage report by February 1 of each year to all municipalities from which recyclable material was received in the previous calendar year. The report shall detail the amount of each source separated recyclable material, expressed in tons or cubic yards, brought to the recycling center. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.

One original and one copy of the annual report and tonnage report shall be submitted to:

New Jersey Department of Environmental Protection  
Division of Solid and Hazardous Waste  
Chief, Bureau of Recycling and Planning  
P.O. Box 414  
Trenton, New Jersey 08625-0414

Failure to comply with any or all conditions of this Approval will result in the NJDEP seeking relief under the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. Specifically, each day of failure to so comply shall constitute a separate violation on the basis of which a penalty shall be assessed pursuant to

N.J.S.A. 13:1E-9 and may subject RUBBERCYCLE LLC/C.B.M.,INC. to regulation as a solid waste facility pursuant to N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq.

The issuance of this Approval and the conditions of operation identified herein shall not be interpreted as relieving the applicant of his responsibility to secure and maintain all other applicable federal, State and local permits or similar forms of authorization relating to the construction and operation of this facility.